



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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## **AGENDA WITH ANALYSIS**

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD  
Friday, June 14, 2013**

The **STATE PUBLIC WORKS BOARD** will meet on  
**Friday, June 14, 2013 at 10:00 a.m. in Senate  
Room 113, State Capitol, Sacramento, California.**  
In accordance with provisions of section 11125 of the  
Government Code, a copy of the Agenda is attached.

Greg Rogers  
Executive Director

Attachment

**STATE PUBLIC WORKS BOARD**

**Friday**

**June 14, 2013**

**10:00 a.m.**

**Senate Room 113**

State Capitol

Sacramento, California

<b>I.</b>	Roll Call		
<b>II.</b>	Approval of minutes from the May 10, 2013 meeting		
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## CONSENT ITEMS

### CONSENT ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
FRESNO COUNTY**

Assessor Parcel Number 465-084-26

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890(1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043(1)*

**Consider approving site selection**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Fresno County

Action Requested

**If approved, the requested action would approve site selection.**

Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting at about Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, and two viaducts. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSRS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.606 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) for acquisition of approximately 1,100 parcels and the construction of the 130-mile IOS-1.

### Background

On January 11, 2013 the State Public Works Board approved site selection for 356 parcels that would provide a corridor extending approximately 24 miles from Avenue 17 east of the City of Madera to Santa Clara Street in the City of Fresno. During the appraisal process, additional parcels have been identified outside of the corridor, but are part of larger sites owned by the same entity. In these cases, the additional properties may be deemed unusable remnants and therefore, must be considered in the initial written offer for the larger site. This approval allows for just compensation to be set for the site selected parcel and for negotiations to begin with the land owners.

The requested action would approve site selection for Assessor Parcel Number 465-084-26, one of five parcels that comprise the O.K. Produce property located at 1502–1762 G Street in Fresno, California. The other four parcels were within the HSTS corridor and part of the 356 parcels site selected in January 2013. Should site selection be approved, just compensation for the O.K. Produce property can be completed and a first written offer developed.

In recent days, the Authority has identified 27 additional properties that will be needed and it is expected that items seeking site selection of these parcels will be brought for consideration at future Public Works Board Meeting

**Staff Recommendation:     Approve site selection**

## CONSENT ITEMS

### CONSENT ITEM—2

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
JAIL PROJECT  
MADERA COUNTY

*Authority: Sections 15820.91 – 15820.917 of the Government Code*

#### Consider:

- a) approving preliminary plans
- b) recognizing revised project costs

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

Department of Corrections and Rehabilitation  
Jail Project  
Madera County

#### Action Requested

**If approved, the requested action would approve preliminary plans and recognize revised project costs.**

#### Scope Description

**This project is within scope.** This project will design and construct renovations to and an expansion of the existing county jail on a greater 60± acre parcel of county owned land located in the city of Madera.

The expansion will design and construct approximately 10,000 square feet of space for a new laundry building and a new kitchen building directly adjacent to the jail. The kitchen building will include the kitchen, an office, a commissary, a warehouse, and mechanical and support services space. The renovations to the existing jail will include a new negative pressure medical cell and a new inmate labor break room.

This project will include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems, as well as all necessary appurtenances. The building will be constructed of steel and concrete for long-term durability. In addition, there will be secure fencing surrounding the facility to provide grounds security.

#### Funding and Project Cost Verification

**This project is within cost.** On March 8, 2013, the Board took an action establishing scope, cost, and schedule, allocating \$3,000,000 of the \$774,229,000 lease revenue bond financing authority appropriated in Section 15820.913 of the Government Code to partially finance the design and construction of this project. At the time of establishment, the total estimated project cost was \$3,258,000. Subsequent to this action, a new project cost estimate was prepared in connection with the completion of preliminary plans. Based on this new estimate the project cost decreased \$94,000 for a total estimated project cost of \$3,164,000. This item also includes a change in the distribution of the costs covered by the state and the county, with the total amounts provided by the state and county remaining the same. This action would recognize these revised project costs, as shown below.

\$ 3,258,000	total authorized project cost
\$ 3,164,000	total estimated project cost
\$ 3,000,000	state funds previously allocated: \$17,000 preliminary plans, \$18,000 working drawings, and \$2,965,000 construction (\$2,500,000 contract, \$250,000 contingency, \$50,000 A&E, and \$165,000 other project costs)
\$ 258,000	local funds previously allocated: \$13,000 acquisition/study, \$38,000 preliminary plans, \$101,000 working drawings, and \$106,000 construction (\$10,000 A&E and \$96,000 other project costs)
\$ 94,000	state funds decrease: \$17,000 preliminary plans, \$18,000 working drawings, and \$59,000 construction (\$63,000 contract and \$6,000 contingency, and an increase of \$10,000 other project costs)
\$ 0	local funds decrease: an increase of \$17,000 preliminary plans, \$18,000 working drawings and a decrease of \$35,000 construction (other project costs)

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on August 27, 2007, and the 30-day statutes of limitation expired on September 26, 2007, without challenge.

#### Due Diligence

A Summary of Conditions Letter for this project was completed on April 29, 2010, and an update was completed on November 8, 2010. The updated letter indicated no issues that would adversely affect the quiet use and enjoyment of the project were identified.

#### Project Schedule

Approve Preliminary Plans	June 2013
Complete Working Drawings	August 2013
Start Construction	October 2013
Construction Complete	September 2014

**Staff Recommendation:**     **Approve preliminary plans and recognize revised project costs.**

## CONSENT ITEMS

### CONSENT ITEM—3

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
STATEWIDE  
DENTAL FACILITY IMPROVEMENTS, PHASE III  
VARIOUS COUNTIES

*Authority: Section 28(a) of Chapter 7, Statutes of 2007  
Section 7050 of the Penal Code*

#### Consider:

- a) approving preliminary plans
- b) recognizing revised project costs
- c) approving use of Inmate/Ward Labor

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

Department of Corrections and Rehabilitation  
Statewide  
Dental Facility Improvements, Phase III  
Various Counties

#### Action Requested

**If approved, the requested action would approve preliminary plans, recognize revised project costs, and approve the use of Inmate/Ward Labor.**

#### Scope Description

**This project is within scope.** This is the third and final phase of a three-phase statewide project to complete physical plant modifications necessary to ensure Department of Corrections and Rehabilitation's (CDCR) compliance with the Stipulated Agreement in the *Perez vs. Beard* class action lawsuit regarding dental care for inmates.

The Statewide Dental Facility Improvements project will provide modifications necessary to address infection control situations, efficiency and safety/security issues, and the availability of timely and adequate dental services in prison dental clinics. A sampling of the physical plant improvement modifications to meet the court requirements include: converting office space into

sterilization areas, increasing electrical capacity to operate the existing equipment, increasing counter space and storage areas, and removing or constructing walls and reconfiguring dental chairs to meet industry standards.

Facility improvements at the following seven CDCR adult institutions will be addressed in Phase III of this statewide project: Avenal State Prison (Kings County); Central California Women's Facility (Madera County); California Institution for Men (San Bernardino County); California State Prison, Corcoran (Kings County); Pelican Bay State Prison (Del Norte County); R.J. Donovan Correctional Facility at Mountain Rock (San Diego County); and Valley State Prison (formerly Valley State Prison for Women) (Madera County).

#### Funding and Cost Verification

**This project is within cost.** Section 28(a) of Chapter 7 of the Statutes of 2007 (AB 900) appropriated \$300 million General Fund to CDCR for capital outlay to renovate, improve, or expand infrastructure capacity at existing prison facilities. Section 7050(a)(3) of the Penal Code further provides this appropriation may be used for the design and construction of dental infrastructure improvements at state prison facilities.

On July 16, 2012, the Board took an action establishing scope, cost, and schedule, allocating \$8,100,000 from this appropriation to complete design and construction for Phase III of this statewide dental facilities improvement project. On January 14, 2013, the Board approved a scope change and recognized revised project costs to reflect a decrease of \$616,000 and a revised total estimated project cost of \$7,484,000. Subsequent to this action, a new project cost estimate was prepared in connection with the completion of preliminary plans. Based on this new estimate, the project costs have decreased by an additional \$157,000 for a revised total estimated project cost of \$7,327,000.

In addition, while developing this new action, an error was discovered in the prior distribution of costs. The total estimated construction costs did not change, but there was a miscalculation in the distribution of costs between the contract, other project costs, and agency retained line items. This action would recognize these revised project costs, as shown below.

\$ 7,484,000	total authorized project cost
\$ 7,327,000	total estimated project cost
\$ 7,484,000	project costs previously allocated: \$402,000 preliminary plans, \$324,000 working drawings, and \$6,758,000 construction (\$4,018,000 contract, \$314,000 contingency, \$999,000 other project costs, and \$1,427,000 agency retained items)
\$ 157,000	project cost decrease: \$157,000 preliminary plans and \$0 construction (an increase of \$84,000 contract and a decrease of \$61,000 other project costs and \$23,000 agency retained items)

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 11, 2013, and the statutes of limitation expired on February 16, 2013, without challenge.

#### Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on December 28, 2012, and no issues that would adversely affect the quiet use and enjoyment of the project were identified.



Project Schedule

Approve preliminary plans	June 2013
Complete working drawings	November 2013
Start construction	December 2013
Complete construction	December 2014

**Staff Recommendation:**     **Approve preliminary plans, recognize revised project costs and approve the use of Inmate/Ward Labor.**

## ACTION ITEMS

### ACTION ITEM—1

DEPARTMENT OF GENERAL SERVICES (1760)

STATEWIDE

SOLAR PHOTOVOLTAIC PROGRAM

GROUND MOUNTED SOLAR PHOTOVOLTAIC SYSTEMS IMPACTING BOND ENCUMBERED

STATE OWNED LAND

VARIOUS COUNTIES

Consider adopting a resolution:

- a) approving a form of a Site License Agreement (SLA) for ground mounted solar photovoltaic (PV) systems impacting state owned land encumbered by Board issued lease revenue bonds;
- b) approving a form of a Solar Power Purchase Agreement (SPPA) for ground mounted PV systems impacting state owned land encumbered by Board issued lease revenue bonds;
- c) delegating to the Executive Director or any Deputy Director of the Board the authority to consent to project specific SLAs and SPPAs and to provide other approvals or consents as required by either the SLA or SPPA.

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

Department of General Services

Statewide

Solar Photovoltaic Program

Ground Mounted Solar Photovoltaic Systems Impacting Bond Encumbered

State Owned Land

Various Counties

#### Action Requested

If approved, the requested action would adopt a resolution approving the form of a Site License Agreement (SLA) and a Solar Power Purchase Agreement (SPPA) for ground mounted photovoltaic (PV) systems impacting state owned land encumbered by Board issued lease revenue bond financing. This resolution would also delegate the authority to consent to project specific SLAs and SPPAs to the Executive Director or any Deputy Director of the Board together with other approvals, consents, certificates, or agreements contemplated by the SLA and SPPA.

### Background

In furtherance of Executive Order B-18-12, the Department of General Services (DGS) has implemented a solar energy PV program for use by various state agencies in an effort to reduce grid-based energy purchases for state owned facilities. Under the SLA and SPPA, the solar service providers, selected through a competitive process overseen by DGS, agree to finance, build and operate the solar PV system at state owned facilities in return for the state agreeing to purchase the electricity produced from the Solar PV System for the 20 year term of the agreements.

Because of the covenants contained in the Board's financing leases and tax certificates, Solar PV Systems that are located on or connected to a site or facility encumbered with the Board's lease revenue bonds require different terms and conditions than the typical terms found in DGS's standard SLA and SPPA. DGS's typical SLA and SPPA have been restructured and modified to make it clear that the Board's lien on the state land/facility is superior to the solar providers and the security interest of the solar provider is a personal property interest limited to the solar equipment. Further, the terms of the SLA require the Board to approve the financing arrangements of the solar service provider to further ensure that financing does not run counter of the Board's bond covenants.

The form of SLA and SPPA attached to the resolution have been reviewed by the Board's bond counsel and are sufficiently compatible with the Board's bond covenants to be utilized on bond encumbered facilities. However, because these agreements will constitute private activity at these state owned facilities, prior to consummating a site specific transaction, staff will need to have tax counsel review outstanding private activity at the site/facility to ensure compliance with tax covenants.

Once approved as a form, the SLA and SPPA should only require site specific modifications together with subsequent approval of the solar providers financing terms. Thus, for efficiency, staff is requesting the Board delegate to staff the necessary consent and approvals once the form agreements are adapted for project specific locations.

**Staff Recommendation:     Adopt Resolution.**

## OTHER BUSINESS

**No items under Other Business.**

## REPORTABLES

**To be presented at the meeting.**